

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**EDWARD BUTOWSKY, in his personal and  
professional capacities,**

**Plaintiff,**

**v.**

**MICHAEL GOTTLIEB, *et al.*,**

**Defendants.**

**Case No. 4:19-cv-00180-ALM-KPJ**

**DECLARATION OF PAUL J. SKIERMONT IN SUPPORT OF DEFENDANTS  
GOTTLIEB, GOVERNSKI, AND BOIES SCHILLER FLEXNER LLP'S MOTION TO  
DISMISS THIRD AMENDED COMPLAINT UNDER THE FIRST-TO-FILE RULE AND  
RULES 12(b)(6), 12(b)(7), AND 19**

I, Paul J. Skiermont, hereby declare as follows:

1. I am an attorney with Skiermont Derby LLP, and counsel of record for Defendants Michael Gottlieb, Meryl Goverski, and Boies Schiller Flexner LLP in the above-captioned action. This Declaration is made in support of those defendants' Motion to Dismiss the Complaint in this action.

2. I am over the age of 21 years and am competent to make this declaration. All of the statements set forth herein are true and correct and are based on my personal knowledge.

3. Attached as Exhibit A to this Declaration is a true and correct copy of the Complaint (Dkt. 3) in the lawsuit styled *Rich v. Butowsky et al*, 1:18-cv-00681-RJL (D.D.C. Mar. 26, 2018).

4. Attached as Exhibit B to this Declaration is a true and correct copy of an Order filed in the lawsuit styled *Butowsky v. Susman Godfrey, LLP*, No. 416-01222-2019, (426th Dist. Ct., Collin Cty., Tex. May 22, 2019).

5. Attached as Exhibit C to this Declaration is a true and correct copy of a television interview transcript, Transcript, *Anderson Cooper 360: Seth Rich's brother sues right-wing activists*, CNN (Mar. 27, 2018), video available at <https://www.cnn.com/videos/us/2018/03/28/michael-gottlieb-seth-rich-brother-attorney-ac.cnn> (last accessed June 19, 2019).

6. Attached as Exhibit D to this Declaration is a true and correct copy of a news article titled *Retraction: Aaron Rich and the murder of Seth Rich*, The Washington Times (Sept. 30, 2018), available at <https://www.washingtontimes.com/news/2018/sep/30/retraction-aaron-rich-and-murder-seth-rich> (last accessed June 19, 2019).

7. Attached as Exhibit E to this Declaration is a true and correct copy of a news article, Jane Coaston, *A right-leaning newspaper is finally retracting the conspiracy theories it published*

*about Seth Rich*, Vox (Oct. 1, 2018), <https://www.vox.com/policy-and-politics/2018/10/1/17923178/washington-times-seth-rich-aaron-rich-trump-fox-news> (last accessed June 19, 2019).

8. Attached as Exhibit F to this Declaration is a true and correct copy of the ECF docket in the lawsuit captioned *Rich v. Butowsky et al*, 1:18-cv-00681-RJL (D.D.C.) as of May 31, 2019, showing a Minute Order (no docket number) dated March 29, 2019.

9. Attached as Exhibit G to this Declaration is a true and correct copy of the Defendant's Answer as served on the Plaintiff in the lawsuit captioned *Rich v. Butowsky et al*, 1:18-cv-00681-RJL (D.D.C. May 28, 2019).

10. Attached as Exhibit H to this Declaration is a true and correct copy of the publicly-available LinkedIn profile page of Ed Butowsky, available at <https://www.linkedin.com/in/edbutowsky/> (select "More" > "Save to PDF") (last accessed June 19, 2019).

11. Attached as Exhibit I to this Declaration is a true and correct copy of the Transcript of Status Conference Before the Honorable Richard J. Leon, United States District Judge, held on July 31, 2019, in the lawsuit captioned *Rich v. Butowsky et al.*, Case No. 1:18-cv-00681-RJL (D.D.C.).

12. Attached as Exhibit J to this Declaration is a true and correct copy of the Complaint [Dkt. 1] in the lawsuit captioned *Butowsky v. Wigdor, et al.*, Case No. 4:19-cv-00577 (E.D. Tex. July 31, 2019).

13. Attached as Exhibit K to this Declaration is a true and correct copy of Exhibit 4 to the Motion to Compel Defendants Matt Couch and America First Media [Dkt. 71] in the lawsuit captioned *Rich v. Butowsky, et al.*, Case No. 1:18-cv-00681-RJL (D.D.C. July 23, 2019). This

exhibit is a copy of the interrogatory responses submitted by Defendants Matt Couch and America First Media in that lawsuit.

14. Attached as Exhibit L to this Declaration is a true and correct copy of Ed Butowsky's Response to Plaintiff's Motion to Anti-Suit Injunction [Dkt. 58] in the lawsuit captioned *Rich v. Butowsky, et al.*, Case No. 1:18-cv-00681-RJL (D.D.C. May 10, 2019).

15. Attached as Exhibit M to this Declaration is a true and correct copy of a transcript of an August 2019 podcast entitled "*ConspiracyLand: The Untold Story of Seth Rich. Episode 6 – Collateral Damage*," hosted by Michael Isikoff, which includes an interview with Defendant Meryl Governski.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 13th day of March 2020, in Dallas, Texas.

/s/ Paul J. Skiermont

Paul J. Skiermont

*Counsel for Michael Gottlieb, Meryl  
Governski, and Boies Schiller Flexner LLP*